

**REMARKS**

Claims 1-41 are currently pending in the application. Claims 3, 4, 17, 26 and 35 are indicated as containing allowable subject matter. By this amendment, claims 3 and 30 are amended for clarity purposes only. No new matter is added. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

**Allowed Claims**

Applicants appreciate the indication that claims 3, 4, 17, 26 and 35 contain allowable subject matter. Applicants submit, however, that all of the claims contain allowable subject matter for the reasons set forth below. Applicants further submit that the §112, 2<sup>nd</sup> paragraph, rejection has been overcome as discussed below.

**35 U.S.C. §112, 2<sup>nd</sup> paragraph, Rejection**

In the Office Action, claims 30-41 were rejected under 35 U.S.C. §112, 2<sup>nd</sup> paragraph. Claim 30 is amended to provide proper antecedent basis to "the motor connecting arm". This amendment is made for clarity purposes and not to overcome any prior art or record.

Accordingly, Applicants respectfully request that the rejection over claims 30-41 be withdrawn.

**35 U.S.C. §102 Rejection**

In the Office Action, claims 1, 2, 5-16, 18-25, 27-34 and 36-41 were rejected under 35 U.S.C. §102(b) for being anticipated by U. S. Patent No. 5,340,129 issued to Wright. This rejection is respectfully traversed.

In order to reject a claim under 35 U.S.C. §102, a single prior art reference must contain each and every limitation of the claimed invention, either expressly or under the doctrine of inherency. *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1560, 1570 (Fed. Circ), cert.



denied, 488 U.S. 892 (1988). To "contain" the limitation the reference must explicitly describe the limitation, or describe an operation inherently requiring the limitation, completely enough to place limitation "in the possession of the public." *In re Epstein*, 32 F.3d 1559, 31 USPQd 1817 (Fed. Cir. 1994). In the present rejection, the Examiner is of the opinion that the Wright reference shows all of the features of the claimed invention. Applicants respectfully disagree with the Examiner and submit that the claimed invention is distinguishable over the prior art of record, as discussed in more detail below.

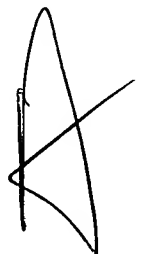
**Claim 1**

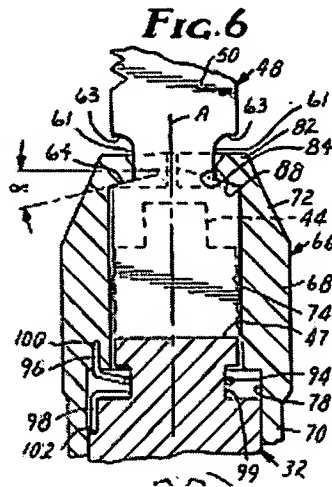
The invention relates generally to a connector assembly for a surgical instrument and, more particularly, to a connector assembly for securing a surgical tool to a housing of a surgical instrument. Claim 1 recites, in part,

a gripper having a centrally located bore;  
opposing shelves formed in the centrally located bore of the  
gripper, the opposing shelves forming an elongated slot within the  
bore;

However, this feature is not provided in the Wright reference.

Referring to Figure 6, reproduced below, Wright shows a gripper 66 having a seating portion 72 with an annular ledge 82 extending radially inwardly to form an aperture 84 having a diameter less than the diameter of a first pocket 74. The ledge 82 has a blade aperture or slot 86 extending axially through the ledge 82 of a width sufficient to allow the shank portion 54 to be received or disposed within the first pocket 74. The aperture 84 is of a sufficient diameter to allow the second stepped portion 44 of the retention shaft 32 to be received or disposed therein.

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Simply, however, the ledge 82 extends from an end of the gripper 62 and only provides a single “shelf”, not opposing shelves formed in the centrally located bore. The feature of the opposing shelves is shown in Figure 5 at reference numeral 70 of the present application. Additionally, this single shelf of Wright does not form an elongated slot within the bore.

**Claim 21**

Claim 21 also recites the use of a pair of shelves located with the centrally located bore of the gripper. As discussed above, this feature is not shown in the Wright reference. Wright only shows the use of a ledge 82 associated with the seating portion at an end thereof.

In addition, claim 21 recites, in part,

a collet having a first section, a second section and a third section;

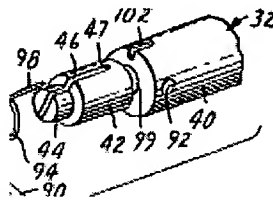
a first shoulder being formed between the first section and the second section;

a second shoulder being formed between the second section and the third section; [and]

...the shoulder and the second shoulder being aligned over opposing ledges of each of the shelves when the gripper is biased in a first position.

Wright simply does not show these features.

Wright shows a collet in Figure 3, partially reproduced below.

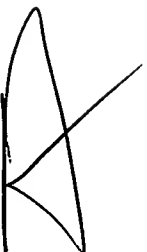


This collet shows a first section 44, second section 42, third section (recess) 99 and a fourth section 40. These sections form three shoulders. The third section 99 forms opposing shoulders adjacent with the second and fourth section. But none of the shoulders are even remotely aligned over opposing ledges of shelves of the gripper when the gripper is biased in the first position. As shown again in Figure 6, provided above, the first shoulder is positioned within the first pocket 74 and the second shoulder is positioned within a second pocket 78. The recessed portion 99 having the opposing shoulders is also positioned within the second pocket. However, Wright does not show shoulders of the collet aligned over opposing ledges of each shelf, as recited in the claimed invention.

### Claim 30

Claim 30 recites, in part,

“the connecting assembly including:  
a gripper having a centrally located bore, the  
grripper further having a first section, a second section and a  
third section, the second section having a different cross



section than either of the first section and the second section;

opposing shelves formed in the centrally located bore of the gripper, the opposing shelves forming an elongated slot within the bore;

a longitudinal slot formed along a length of the collet;

a shoulder formed between the first section and the second section;

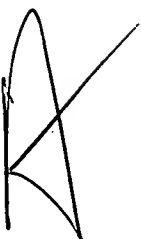
an opposing shoulder formed between the second section and the third section ...”

Wright does not show these features. First, Wright does not show or disclose opposing shelves. Second, Wright does not a shoulder formed between the first section and the second section and an opposing shoulder formed between the second section and the third section. This is clearly ascertained by Figure 6 of Wright which shows three internal sections, but none of the above features associated therewith. For example, Wright shows flat surfaces that are formed in the centrally located bore of the gripper.

### **Dependent Claims**

Applicants further submit that the remaining rejected dependent claims are also allowable. First, the rejected dependent claims, directly or indirectly, depend from a distinguishable dependent claim. Secondly, many of the features of the rejected dependent claims stand allowable on their own merits in view of the art of record.

By way of example, the art of record, alone or in combination do not show the shelves of the claimed invention, nor do these references show or suggest ledges of the shelves. The references also do not show the use of five sections and at least four of which have difference circumferences. Nor are the features, for example, of claim 20 shown. Other features are also recited which are not shown in the art of record.

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Accordingly, Applicants respectfully request that the rejection over claims 1, 2, 5-16, 18-25, 27-34 and 36-41 be withdrawn.

### CONCLUSION

Applicants appreciate the indication of allowable subject matter; however, in view of the foregoing remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,



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